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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,491	01/18/2005	Frank Dumont		2379

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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12/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,491	Applicant(s) DUMONT ET AL.	
	Examiner NIGAR CHOWDHURY	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/18/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-5, 12-13, 15-22 are rejected under 35 U.S.C. 102(e) as being anticipated by US 7,111,319 by Watkins.
2. Regarding **claim 1**, Watkins discloses video apparatus comprising:
 - a digital decoder for decompressing compressed digital data and for generating a first digital stream (fig. 1 (164), col. 2 lines 49-col. 4 lines 9);
 - a video source of a first analog signal (fig. 1 (140b), col. 1 lines 16-17, col. 2 lines 49-col. 4 lines 9);
 - a video encoder (fig. 1 (108), col. 2 lines 49-col. 4 lines 9);
 - a first video decoder connectable to the video source for generating a second digital stream based on the first analog signal (fig. 1 (164 of 102b), col. 2 lines 49-col. 4 lines 9);
 - mixing means coupled to the first video decoder and to the digital decoder able to mix the second digital stream and the first digital stream into an

output digital stream to the video encoder (fig. 1 (104), col. 2 lines 49-col. 4 lines 9).

3. Regarding **claim 2**, Watkins discloses video apparatus wherein a digital encoder (fig. 1 (132a, 162, 160, 166)) generates a third digital stream based on a second analog signal (fig. 1 (140a)) and wherein the digital encoder is connectable to the digital decoder (fig. 1 (164)) for transmitting third digital stream to the digital decoder (col. 2 lines 49-col. 4 lines 9).

4. Regarding **claim 3**, Watkins discloses video apparatus wherein the digital encoder includes a video decoder (fig. 1 (132a)) for digitising the second analogue signal (col. 2 lines 49-col. 4 lines 9).

5. Regarding **claim 4**, video apparatus wherein the digital encoder and the digital decoder are linked via a digital selector (fig. 1 (162), (col. 2 lines 49-col. 4 lines 9)).

6. Regarding **claim 5**, video apparatus wherein the digital selector is connected to a medium interface (fig. 1 (114)).

7. **Claim 12** is rejected for the same reason as discussed in the corresponding claim 4 above.

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8. **Claim 13** is rejected for the same reason as discussed in the corresponding claim 5 above.

9. **Claim 15** is rejected for the same reason as discussed in the corresponding claims 1 and 2 above.

10. Regarding **claim 16**, video apparatus wherein the video encoder outputs an output analogue signal based on said output digital stream (fig. 1 (108), col. 3 lines 43-46).

11. **Claim 17** is rejected for the same reason as discussed in the corresponding claim 5 above.

12. **Claim 18** is rejected for the same reason as discussed in the corresponding claim 5 above.

13. **Claim 19** is rejected for the same reason as discussed in the corresponding claim 5 above.

14. **Claim 20** is rejected for the same reason as discussed in the corresponding claim 5 above.

15. Regarding **claim 21**, video apparatus wherein the medium interface is connectable to the digital switch for outputting to digital switch a digital stream based on data retrieved from said medium (fig. 1 (104), col. 2 lines 49-col. 4 lines 9).

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16. **Claim 22** is rejected for the same reason as discussed in the corresponding claim 21 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7,111,319 by Watkins.

18. Regarding claim 14, Watkins discloses video apparatus wherein the first video decoder and the digital decoder but fails to disclose the first video decoder provides a synchronising signal to the digital decoder.

It is noted that the use of synchronizing signal from one decoder to another decoder is old and well-known in the recording art. Therefore, official notice is taken. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a well-known synchronizing of signal for having better quality of video with audio while watching.

19. **Claim 23** is rejected for the same reason as discussed in the corresponding claim 14 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIGAR CHOWDHURY whose telephone number is (571)272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC
12/19/2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621